

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

OWEN J. ROGAL, D.D.S., P.C.,

Plaintiff,

v.

SKILSTAF, INC.,

Defendant.

CIVIL ACTION NO.
3:06-cv-00711-MHT

OWEN J. ROGAL, D.D.S., P.C.,

Plaintiff,

v.

SKILSTAF, INC.,

Defendant.

**CIVIL ACTION NO.
3:06-cv-00728-MHT**

**JOINT MOTION FOR AN ORDER PERMITTING THE PARTIES TO
CONDUCT SETTLEMENT NEGOTIATIONS OVER THE TELEPHONE**

Defendant Skilstaf, Inc. (“Defendant”) and Plaintiff Owen J. Rogal, D.D.S., P.C. (“Plaintiff”) (collectively, “the parties”), respectfully move the Court to grant an order permitting them to conduct the good faith settlement negotiations outlined in the Court’s Uniform Scheduling Order over the telephone. As grounds for this motion, the parties state as follows:

1. On October 12, 2006, the Court entered a Uniform Scheduling Order in each of the above-styled cases. Section 3 of the Court's Uniform Scheduling Order requires the parties to "conduct a face-to-face settlement conference at which counsel shall engage in good faith settlement negotiations" within twenty-one (21) days after the deadline for the filing of dispositive motions.

2. Plaintiff is a corporation with its principal place of business in Philadelphia, Pennsylvania.

3. Defendant is an Alabama corporation with its principal place of business in Alexander City, Alabama.

4. Because Plaintiff is located in Pennsylvania and Defendant is located in Alabama, it will be difficult, costly, and inconvenient for the parties to engage in good faith settlement negotiations face-to-face.

5. To date, the parties' attorneys have already begun to engage in good faith settlement negotiations. Specifically, the parties' attorneys have corresponded through the mail and have spoken on the telephone in an attempt to settle the disputes that exist between them. These settlement negotiations are ongoing.

WHEREFORE, the parties hereby respectfully request the Court to permit them to continue conducting the good faith settlement negotiations outlined in the Court's Uniform Scheduling Order over the telephone.

Respectfully submitted,

s/Robert E. Cole

Robert E. Cole
437 Chestnut Street, Suite 218
Philadelphia, PA 19109
Telephone: (215) 922-2050
Facsimile: (215) 922-2006
recolesq6@juno.com

Attorney for Plaintiff

s/Charles A. Stewart III

Charles A. Stewart III (STE067)
Bradley Arant Rose & White LLP
The Alabama Center for Commerce
401 Adams Avenue, Suite 780
Montgomery, AL 36104
Telephone: (334) 956-7700
Facsimile: (334) 956-7701
cstewart@bradleyarant.com

s/Amelia T. Driscoll

Amelia T. Driscoll (DRI016)
Bradley Arant Rose & White LLP
1819 Fifth Avenue North
Birmingham, AL 35203-2104
Telephone: (205) 521-8000
Facsimile: (205) 521-8800
adriscoll@bradleyarant.com

Attorneys for Defendant
Skilstaf, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on May 31, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

Robert E. Cole
437 Chestnut Street, Suite 218
Philadelphia, PA 19109

Charles A. Stewart III
Bradley Arant Rose & White LLP
The Alabama Center for Commerce
401 Adams Avenue, Suite 780
Montgomery, AL 36104

Amelia T. Driscoll
Bradley Arant Rose & White LLP
1819 Fifth Avenue North
Birmingham, AL 35203-2104

Beth A. Friel
Jeanne L. Bakker
Mongtomery, McCracken, Walker & Rhoads
123 South Broad Street
Philadelphia, PA 19109

and I hereby certify that I have mailed by U. S. Postal Service the document to the following non-CM/ECF participants: None.

/s/ Amelia T. Driscoll